

REMARKS

The present amendment is in response to the Office Action, dated April 9, 2004, where the Examiner has allowed claims 32-35, 61-66, 83, 84, 86, 88 and 99-105, has rejected claims 67-73, 75-82, 85, 87, 89-93, 98, 113, 117, 118 and 120, and has objected to claims 1-16, 36, 74, 94-97, 114-116 and 119. By the present amendment, claims 1, 13, 36, 67, 75, 92, 95, 96, 97, 113, 115 and 119 have been amended, and claims 73-74, 80, 85, 87, 89-91, 94 and 114 have been cancelled. Accordingly, claims 1-16, 32-36, 61-72, 75-79, 81-84, 86, 88, 92-93, 95-105, 113 and 115-120 are pending in the present application. Reconsideration and allowance of pending claims 1-16, 32-36, 61-72, 75-79, 81-84, 86, 88, 92-93, 95-105, 113 and 115-120 in view of the amendments and the following remarks are respectfully requested.

A. Claim Objections

The Examiner has objected to claims 1-16, because "a remote xDSL modem" in claim 1 should read --the remote xDSL modem--. The Examiner has also objected to claim 13, because "said same receive and/or transmit" should read --said receive and/or transmit--. The Examiner has objected to claim 36, because "said analog codec and/or" should read --said analog codec--.

By the present amendment, applicant has amended claims 1, 13 and 16 to cure the above informalities. Applicant respectfully submits that the Examiner's objection has been overcome and claims 1-16 and 36 are now in condition for allowance.

B. Rejection of Claims 80, 85, 87 and 89-91 Under 35 USC §112, ¶ 1

The Examiner has rejected claims 80, 85, 87 and 89-91 under 35 USC §112, ¶ 1, as failing to comply with the enablement requirement.

By the present amendment, applicant has cancelled claims 80, 85, 87 and 89-91. Accordingly, it is respectfully submitted that the Examiner's rejection has been rendered moot.

C. Rejection of Claims 67-69, 71-73, 75-79, 92, 93 and 98 Under 35 USC §102(e)

The Examiner has rejected claims 67-69, 71-73, 75-79, 92, 93 and 98 under 35 USC §102(e) as being anticipated by Timm et al. 6,055,266 (hereinafter "Timm '268").

By the present amendment, claim 67 has been amended to include all of the limitations of claims 73 and 74. It is respectfully submitted that claim 67, as amended, is now in condition for allowance, because the Examiner has stated that claim 74 would be allowable if rewritten in independent form. Further, claims 68-69, 71-72, 75-79 and 81-82 depend from claim 67, and should also be allowed.

By the present amendment, claim 92 has been amended to include all of the limitations of claim 94. It is respectfully submitted that claim 92, as amended, is now in condition for allowance, because the Examiner has stated that claim 94 would be allowable if rewritten in independent form. Further, claims 93 and 95-98 depend from claim 92, and should also be allowed.

D. Rejection of Claims 70, 81 and 82 Under 35 USC §103(a)

The Examiner has rejected claims 70, 81 and 82 under 35 USC §103(a) as being unpatentable over Timm '268 in view of the admitted prior art.

Applicant respectfully submits that claims 70, 81 and 82 depend from claim 67, and should also be allowed.

E. Rejection of Claims 113, 117, 118 and 120 Under 35 USC §103(a)

The Examiner has rejected claims 113, 117, 118 and 120 under 35 USC §103(a) as being unpatentable over the admitted prior art in view of Ramachandran 6,493,326 (hereinafter "Ramachandran '326").


By the present amendment, claim 113 has been amended to include all of the limitations of claim 114. It is respectfully submitted that claim 113, as amended, is now in condition for allowance, because the Examiner has stated that claim 114 would be allowable if rewritten in independent form. Further, claims 117, 118 and 120 depend from claim 113, and should also be allowed.

Further, claims 115 and 119 have been amended to include all of the limitations of claim 113. It is respectfully submitted that claims 115 and 119, as amended, are now in condition for allowance, because the Examiner has stated that claims 115 and 119 would be allowable if rewritten in independent form. Further, claim 116 depends from claim 115, and should also be allowed.

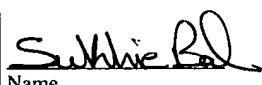

F. Conclusion

For all the foregoing reasons, an early allowance of claims 1-16, 32-36, 61-72, 75-79, 81-84, 86, 88, 92-93, 95-105, 113 and 115-120 pending in the present application is respectfully requested.

Respectfully Submitted;
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